

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN
APPLICATION DATA SHEET (37 CFR 1.76)**

Title of Invention

SYSTEM AND METHOD FOR NETWORK EDGE DATA PROTECTION

As the below named inventor(s), I/we declare that:

The declaration is directed to:

☒ The attached application, or

☐ Application No. _____, filed on _____,

☐ as amended on _____ (if applicable).

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

FULL NAME(S) OF INVENTORS:

Inventor one: Robert E. Cavanaugh

Signature: Robert E. Cavanaugh Date: 11/14/03 Citizen of: US

Inventor two: _____

Signature: _____ Date: _____ Citizen of: _____

Inventor three: _____

Signature: _____ Date: _____ Citizen of: _____

Inventor four: _____

Signature: _____ Date: _____ Citizen of: _____

☐ Additional inventors are being named on _____ additional form(s) attached hereto.

POWER OF ATTORNEY and CORRESPONDENCE ADDRESS INDICATION FORM	Application Number		Not Yet Assigned
	Filing Date		Concurrently Herewith
	First Named Inventor		Robert E. Cavanaugh
	Title	SYSTEM AND METHOD FOR NETWORK EDGE DATA, etc.	
	Art Unit		N/A
	Examiner Name		Not Yet Assigned
Attorney Docket No.		58895/P003US/10305848	

I hereby appoint:

☒ Practitioners at Customer Number 000029053

OR

☐ Practitioner(s) named below:

Name	Registration Number	Name	Registration Number

as my/our attorney(s) or agent(s) to prosecute the application identified above, and to transact all business in the United States Patent and Trademark Office connected therewith.

Please recognize or change the correspondence address for the above-identified application to:

☐ The above-mentioned Customer Number.

OR

☐ The address associated with Customer Number:

OR

<input checked="" type="checkbox"/> Firm or Individual Name	R. Ross Viguet FULBRIGHT & JAWORSKI L.L.P.		
Address	2200 Ross Avenue, Suite 2800		
City	Dallas	State	TX
Country	US	Telephone	(214) 855-8000
		Zip	75201-2784
		Fax	(214) 855-8200

I am the:

☐ Applicant/Inventor.

☒ Assignee of record of the entire interest. See 37 CFR 3.71.
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

SIGNATURE of Applicant or Assignee of Record			
Name	Deep Nines, Inc., by Susan P. Dark, President and CEO		
Signature			
Date	11-14-03	Telephone	(214) 273-6996 Ext. 219

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

<input type="checkbox"/>	*Total of <u>1</u> forms are submitted.
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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Robert E. Cavanaugh

Application No./Patent No.: _____ Filed/Issue Date: _____

Entitled: SYSTEM AND METHOD FOR NETWORK EDGE DATA PROTECTION

Deep Nines, Inc., a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
2. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.
3. From: _____ To: _____
The document was recorded in the United States Patent and Trademark Office at Reel _____, Frame _____, or for which a copy thereof is attached.

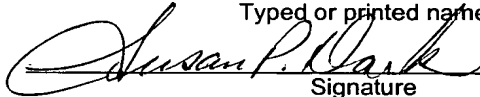
☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☐ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

11-14-03
Date

(214) 273-6996 Ext. 219
Telephone Number

Susan P. Dark
Typed or printed name

Signature
President and Chief Executive Officer
Title

ASSIGNMENT BY INVENTORS

THIS ASSIGNMENT, made by Robert E. Cavanaugh (hereinafter referred to as Assignor), residing at 341 Chapalita Drive, Encinitas, California 92024;

WHEREAS, Assignor has invented certain new and useful improvements in SYSTEM AND METHOD FOR NETWORK EDGE DATA PROTECTION, set forth in a Patent application for Letters Patent of the United States, filed herewith; and

WHEREAS, Deep Nines, Inc., a Corporation organized under and pursuant to the laws of Texas having its principal place of business at 14643 Dallas Parkway, Suite 150, Dallas, Texas 75254 (hereinafter referred to as Assignee), is desirous of acquiring the entire right, title and interest in and to said inventions and said Application for Letters Patent of the United States, and in and to any Letters Patent of the United States to be obtained therefore and thereon.

NOW, THEREFORE, for good and sufficient consideration, the receipt of which is hereby acknowledged, Assignor has sold, assigned, transferred and set over, and by these presents does sell, assign, transfer and set over, unto Assignee, its successors, legal representatives and assigns, the entire right, title and interest in and to the above-mentioned inventions and application for Letters Patent, and in and to any and all direct and indirect divisions, continuations and continuations-in-part of said application, and any and all Letters Patent in the United States and all foreign countries which may be granted therefore and thereon, and reissues, reexaminations and extensions of said Letters Patent, and all rights under the International Convention for the Protection of Industrial Property, the same to be held and enjoyed by Assignee, for its own use and benefit and the use and benefit of its successors, legal representatives and assigns, to the full end of the term or terms for which Letters Patent may be granted and/or extended, as fully and entirely as the same would have been held and enjoyed by Assignor, had this sale and assignment not been made.

AND for the same consideration, Assignor hereby represents and warrants to Assignee, its successors, legal representatives and assigns, that, at the time of execution and delivery of these presents, except for any rights, titles and/or interests that have arisen to Assignee under law or that have already been transferred to Assignee, Assignor believes

himself to be and to his knowledge is the sole and lawful owners of the entire right, title and interest in and to the said inventions and application for Letters Patent above-mentioned, and that the same are unencumbered and that Assignor has good and full right and lawful authority to sell and convey the same in the manner herein set forth.

AND for the same consideration, Assignor hereby covenants and agrees to and with Assignee, its successors, legal representatives and assigns, that Assignor will sign all papers and documents, take all lawful oaths and do all acts necessary or required to be done for the procurement, maintenance, enforcement and defense of any Letters Patent and applications for Letters Patent for said inventions, the reasonable costs and expenses of which, as well as reasonable compensation for Assignor's actual time, shall be reimbursed to Assignor by Assignee, its successors, legal representatives and assigns, whenever counsel of Assignee, or counsel of its successors, legal representatives and assigns, shall advise: that any proceeding in connection with said inventions, or said Patent application for Letters Patent, or any proceeding in connection with any Letters Patent or applications for Letters Patent for said inventions in any country, including but not limited to interference proceedings, is lawful and desirable; or, that any division, continuation or continuation-in-part of any application for Letters Patent, or any reissue, reexamination or extension of any Letters Patent, to be obtained thereon, is lawful and desirable.

AND Assignor hereby requests the Commissioner of Patent and Trademarks to issue said Letters Patent of the United States to Assignee, as Assignee of said inventions and the Letters Patent to be issued thereon, for the sole use and benefit of Assignee, its successors, legal representatives and assigns.

AND Assignor hereby grants the following individuals the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document:

FULBRIGHT & JAWORSKI L.L.P.

All practitioners at Customer Number 000029053

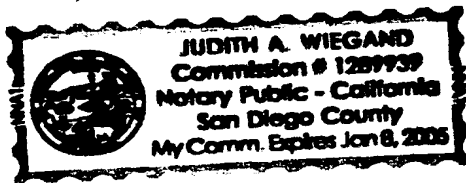
AND Assignor acknowledges an obligation of assignment of this invention to Assignee at the time the invention was made.

Date: 11/14/03

Robert E. Cavanaugh
Robert E. Cavanaugh

United States of America)
State of California) ss.:
County of SAN DIEGO)

On this 14 day of November, 2003, before me personally came Robert E. Cavanaugh, to me known to be the individual described in and who executed the foregoing instrument, and acknowledged execution of the same.



Judith Wiegand
Notary Public